

RESPONSIBILITIES OF SIGNATORY AGENCIES

RESPONSIBILITIES

For projects that have the potential of having high impacts on the aquatic environment, each signatory agency will (to the extent feasible):

- A. Participate in the NEPA, SEPA, Section 404 of the Clean Water Act process at the earliest possible time.
- B. Participate in WSDOT's Biennial Project Review Meetings.
- C. Review the Environmental Review Summary form, including the SEPA checklist. At the Biennial Project Review Meeting, provide preliminary comments to the Lead Agency on project purpose and need, project alternatives, impacts to Waters of the U. S./Waters of the State and associated sensitive species (including cumulative impacts to these resources), and proposed mitigation. Concur with or recommend change of proposed environmental documentation. In addition, the signatory agencies will identify those projects that are likely to need their agency's participation in the project development stage. If the signatory agencies are unable to attend the Biennial Project Review Meeting, written comments must be provided within 10 calendar days from the date of the meeting.
- D. Assist in identifying interest groups (affected agencies and agencies with jurisdiction by law or special expertise and interest).
- E. Respond within 45 calendar days to request to become a cooperating agency. The response letter shall indicate the anticipated level of the signatory agency's responsibilities as a cooperating agency.
- F. Participate in the scoping process as resources allow. Signatory agencies will attend scoping meetings, highway design alternatives meetings, coordination meetings, and joint field reviews, as appropriate.
- G. Provide information and/or technical assistance on issues within the agency's jurisdiction or area of expertise. The signatory agency will specify in its comments whether it needs additional information to fulfill other applicable environmental reviews or consultation requirements and what information it needs. In particular, it shall specify any additional information it needs to comment adequately on the draft environmental document analysis of site specific effects associated with the granting or approving by that signatory agency of necessary permits, licenses, or entitlements. Signatory agencies will signify their concurrence or

nonconcurrence at the completion of each concurrence point. A signatory agency must respond to requests for concurrence within 45 calendar days. See concurrence points in Appendices B and C of the agreement.

- H. When avoidance of an aquatic resource is not practicable, agencies with jurisdiction by law or special expertise will assist the Lead Agency in determining appropriate and practicable mitigation, including "all practicable measures to minimize harm".¹ If the agency determines that it does not have enough information to make a recommendation on mitigation measures, it will comment to that effect. If the project impacts are so substantial that permits would probably be denied, the signatory agencies agree to advise the project sponsor to modify the project to reduce impacts. If this is not effective, signatory agencies agree to implement conflict resolution to see if the project could be appropriately modified. See Conflict Resolution in section VII of the agreement.
- I. Participate in joint public involvement activities, as appropriate.²
- J. As necessary, adopt the final environmental document if, after an independent review of the document, the signatory agency concludes that the document satisfies NEPA/SEPA and other requirements for its approvals, permits, licenses and/or clearances on the proposed action (appropriate only for those agencies with jurisdiction by law).

¹It is not intended that the agency with jurisdiction by law or special expertise design a mitigation plan for the Lead Agency. It is intended that the agency cooperate with the Lead Agency using its expertise and knowledge of the regulations.

²Other agencies may be able to satisfy their public involvement requirements by participating in the public involvement process during the preparation of the environmental document.